

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

**TUESDAY, SEPTEMBER 12, 2006
COUNCIL CHAMBER, 5:00 PM**

Bonnie Lowenthal, Vice Mayor, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Gerrie Schipske, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Robert E. Shannon, City Attorney

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARINGS:

1. 06-0886 Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt the resolution approving the Long Beach Tourism Business Improvement Area Program and assessment for the period of October 1, 2006 through September 30, 2007, and authorize City Manager to execute an agreement with the Long Beach Area Convention and Visitors Bureau for a one-year term.
(Districts 1,2,4,5)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

2. 06-0887 Recommendation to receive supporting documentation into the record, conclude the hearing, and declare the ordinance amending the Belmont Shore Parking and Business Improvement Area program, increasing the assessment rate and continuing the assessment for the period of October 1, 2006 through September 30, 2007, and authorize City Manager to execute an agreement with the Belmont Shore Business Association for a one-year term, read the first time and laid over to the next regular meeting of the City Council for final reading. (District 3)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

3. 06-0888 Recommendation to receive supporting documentation into the record, conclude the hearing, and declare the ordinance amending the Bixby Knolls Parking and Business Improvement Area program, decreasing the assessment rate and continuing the assessment for the period of October 1, 2006 through September 30, 2007; and authorize City Manager to execute an agreement with the Bixby Knolls Business Improvement Association for a one-year term, read the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 7,8)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (4 - 18)

4. 06-0903 Recommendation to adopt resolution proclaiming a Public Safety Personnel Day of Remembrance.
- Office or Department:** MAYOR BOB FOSTER
- Suggested Action:** Approve recommendation.
5. 06-0911 Recommendation to receive and file report on attendance at the League of California Cities 2006 Annual Conference and Exposition in San Diego, CA.
- Office or Department:** VICE MAYOR BONNIE LOWENTHAL,
COUNCILMEMBER, FIRST DISTRICT

Suggested Action: Approve recommendation.

6. 06-0885 Recommendation to authorize City Attorney to submit Compromises and Releases for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$65,000 for claim of Linda Beardslee; \$24,820 for claim of Charles Groveunder; \$20,000 for claim of Anthony Moreno; \$10,000 for claim of Tina Wilson; and (1) \$43,500 for Compromise and Release and (2) \$8,000 for buy-out of supplemental job displacement benefits for claim of Benjamin Baltazar, in compliance with the Appeals Board Order.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

7. 06-0894 Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay (1) \$36,260 for permanent disability rating, and (2) \$5,000 to resolve vocational rehabilitation benefits for claim of Randy Butler; two Stipulations with Requests for Awards in the amount of (1) \$65,622.50 and (2) \$30,940 for claim of David Edwards; (1) \$58,800 and (2) \$5,000 to resolve vocational rehabilitation benefits for claim of Robbie Hill-Morrison; \$7,816.25 for claim of Michael Olson; and \$13,310 for claim of Alberto Vargas, in compliance with Appeals Board Order.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

8. 06-0912 Recommendation to authorize City Manager to execute an agreement with Legal Counsel Gibbs, Giden, Locher & Turner, LLP, in the matter entitled City of Long Beach vs. Abbey Co., Case No. NC037087.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

9. 06-0913 Recommendation to authorize City Manager to execute the Eighth Amendment to Contract No. 28728 with Legal Counsel M. Brian McMahon in the matter entitled Long Beach Oil Development Company vs. City of Long Beach, et al., Case No. CV 03-6655.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

10. 06-0876 Recommendation to refer to City Attorney damage claims received between August 31, 2006 and September 7, 2006.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

11. 06-0877 Recommendation to authorize City Manager to execute contracts with various service providers for the Workforce Investment Act Youth Development Program, for the period of October 1, 2006 through June 30, 2008. (Citywide)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

12. 06-0878 Recommendation to authorize City Manager to execute all documents necessary for a lease between Golden Shore Partners, a California general partnership, (Landlord) and the City of Long Beach (Tenant) for office space at 11 Golden Shore, Suites 110 and 120, for the relocation of the Long Beach Police Department Information Technology Division for a five-year term at the initial monthly base rent of \$12,534. (District 2)

Office or Department: COMMUNITY DEVELOPMENT; POLICE

Suggested Action: Approve recommendation.

13. 06-0879 Recommendation to authorize City Manager to execute an amendment to Contract No. 29514 with 3M Traffic Safety Systems to increase the not to exceed amount to \$500,000 for the purchase of additional vehicle speed feedback signs. (Citywide)

Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

14. 06-0880 Recommendation to authorize City Manager to execute an agreement with The Earl B. and Loraine H. Miller Foundation to fund Family and Children's Health Education Forums, Outreach and Leadership programs at the Miller Family Health Education Center in the amount of \$88,000, for the period from July 1, 2006 to June 30, 2007, and increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by \$88,000. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
15. 06-0881 Recommendation to authorize City Manager to execute First Amendment to Agreement No. 03-76024 with the State of California Department of Health Services to continue a Local Lead Hazard Reduction and Compliance Program for a period of 12 months. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
16. 06-0882 Recommendation to authorize City Manager to execute an agreement with the City of Signal Hill for the provision of animal control services by the City of Long Beach for the period of July 1, 2006 to June 30, 2008, at \$44,300 for each twelve (12) month period, with an option to extend the agreement for up to two consecutive two-year terms with price escalation tied to the Consumer Price Index.
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
17. 06-0883 Recommendation to receive and file the application of Kim Yong Sung, dba Sam's Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 404 W. Anaheim Street, with existing conditions. (District 1)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.

18. 06-0884 Recommendation to adopt Resolution of Intention to vacate the east-west alley north of Anaheim Street and west of Elm Avenue, accept an easement deed for the widening of the north-south alley and the sidewalk adjacent to 325 E. Anaheim Street, and set date of hearing for Tuesday, October 10, 2006, at 5:00 P.M. (District 2)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

UNFINISHED BUSINESS:

19. 06-0843 Recommendation to request City Attorney to prepare an amendment to Section 10.14.020 of the Long Beach Municipal Code, modifying Section "A", Subsection 15 to read:

"15. (Westbound) West Fifty-First Street, between a point three hundred feet (300') west of Long Beach Boulevard and Pacific Avenue." (District 8)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

20. 06-0905 Recommendation to adopt resolution authorizing the issuance of Tax and Revenue Anticipation Notes in an amount not to exceed \$60 Million; and authorize City Manager to execute all necessary documents. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

21. 06-0891 Recommendation to authorize City Manager to execute an agreement, and any subsequent amendments, in the amount of \$1,852,026 for a period of three years, with the County of Los Angeles to provide alcohol and drug abuse rehabilitation services. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

22. 06-0892 Recommendation to authorize City Attorney to prepare an ordinance to establish a public safety impact fee and a resolution to set the fee amount for City Council adoption based on the recommendations in the attached report.

Office or Department: PLANNING AND BUILDING

Suggested Action: Approve recommendation.

BUDGET HEARING: 7:00 P.M. TO 8:30 P.M.

23. 06-0893 Recommendation to receive supporting documentation into the record, conclude the public hearing, and take the actions necessary to adopt the Fiscal Year 2007 budget.

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

23. 06-0853 Recommendation to adopt resolution approving the FY 07 budget of the
1 Long Beach Water Department as adopted by the Board of Water Commissioners on July 13, 2006.

Suggested Action: Approve recommendation.

23. 06-0854 Recommendation to declare ordinance approving the resolution
2 establishing the rates and charges for water and sewer service to all customers, as adopted by the Board of Water Commissioners on August 17, 2006, read the first time and laid over to the next regular meeting of the City Council for final reading.

Suggested Action: Approve recommendation.

23. 06-0855 Recommendation to adopt resolution approving the FY 07 budget for the
3 Long Beach Harbor Department as adopted by the Board of Harbor Commissioners on July 24, 2006.

Suggested Action: Approve recommendation.

23. 06-0856
4 Recommendation to adopt the resolution to establish a partial schedule of fees and charges for specified City services for the Departments of Community Development, Financial Management, Fire, Health and Human Services, Parks, Recreation and Marine, Planning and Building, Police, and Public Works.
- Suggested Action:** Approve recommendation.
23. 06-0906
5 Recommendation to adopt resolution amending and restating the schedule of civil penalties and administrative fees for the enforcement of various parking violations to increase parking citation fees.
- Suggested Action:** Approve recommendation.
23. 06-0857
6 Recommendation to approve the FY 07 One-Year Capital Improvement Program.
- Suggested Action:** Approve recommendation.
23. 06-0858
7 Recommendation to adopt motion approving the budgets for the Redevelopment Agency's Project Area Committees in the amounts of \$45,695 for Central Long Beach, \$70,000 for West Long Beach Industrial, and \$42,000 for North Long Beach.
- Suggested Action:** Approve recommendation.
23. 06-0859
8 Recommendation to adopt motion approving the budget for the Long Beach Housing Development Company in the amount of \$40,009,306, which is included in the budget of the Department of Community Development.
- Suggested Action:** Approve recommendation.
23. 06-0860
9 Recommendation to adopt motion approving the transfer of \$14,222,184 from the Harbor Revenue Fund to the Tidelands Operating Fund.
- Suggested Action:** Approve recommendation.
23. 06-0861
10 Recommendation to adopt resolution adopting an appropriations limit (Gann) for FY 07 pursuant to Article XIII(B) of the California Constitution.
- Suggested Action:** Approve recommendation.

23. 06-0862 Recommendation to adopt the Mayor's proposed funding
11 recommendations, as amended, to the FY 07 proposed budget.

Suggested Action: Approve recommendation.

23. 06-0863 Recommendation to adopt the Budget Oversight Committee's proposed
12 funding recommendations, as amended, to the FY 07 proposed budget.

Suggested Action: Approve recommendation.

23. 06-0864 Recommendation to endorse the updated Financial Strategic Plan.
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Suggested Action: Approve recommendation.

23. 06-0865 Recommendation to adopt motion amending the proposed budget.
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Suggested Action: Approve recommendation.

23. 06-0866 Recommendation to declare an emergency to exist.
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Suggested Action: Approve recommendation.

23. 06-0867 Recommendation to declare the Appropriations Ordinance for FY 07,
16 creating and establishing the funds of the Municipal Government and
appropriating money to and authorizing expenditures from said funds
and for said fiscal year as an Emergency Ordinance, read and adopted
as read and laid over to the next regular meeting of the City Council for
final reading.

Suggested Action: Approve recommendation.

ORDINANCES:

24. 06-0916 Recommendation to declare ordinance relating to the elimination of certain references to user fees and charges from the Long Beach Municipal Code, read the first time and laid over to the next regular meeting of the City Council for final reading, **only** upon adoption of the resolution establishing a partial schedule of fees and charges for specified City services for the Departments of Community Development, Financial Management, Fire, Health and Human Services, Parks, Recreation and Marine, Planning and Building, Police, and Public Works. (Citywide)
- Office or Department:** CITY ATTORNEY
- Suggested Action:** Approve recommendation.
25. 06-0825 Recommendation to declare ordinance amending the Downtown Planned Development District (PD-30) to change the subarea and height limit maps for the property at 210 W. 3rd Street, read and adopted as read. (District 1)
- Office or Department:** PLANNING COMMISSION; PLANNING AND BUILDING
- Suggested Action:** Approve recommendation.
26. 06-0827 Recommendation to declare ordinance, approving a Rezoning from Three-Family Residential District (R-3-S) to Community R-4-N Commercial District (CCN) for a portion of the subject property to allow the construction of a 32-unit condominium complex at 4200 E. Anaheim Street, read and adopted as read (Case No. 0505-19). (District 4)
- Office or Department:** PLANNING COMMISSION; PLANNING AND BUILDING
- Suggested Action:** Approve recommendation.
27. 06-0847 Recommendation to declare ordinance removing obsolete references in the telephone users tax, read and adopted as read. (Citywide)
- Office or Department:** CITY ATTORNEY
- Suggested Action:** Approve recommendation.

NEW BUSINESS:

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Thursday afternoon.

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PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

STANDING COMMITTEE REMINDERS:

Election systems vendor demonstrations at 12:00 P.M.

Elections Oversight Committee at 2:00 P.M.

September 19, 2006 – Election systems vendor demonstrations at 11:30 A.M.

September 19, 2006 – Elections Oversight Committee at 1:00 P.M.

HEARING REMINDERS:

September 19, 2006 -- Hearing for Considerations of Amendments to the Zoning Code (Case Nos. 0601-07, 0601-10, 0601-10, 0601-13, 0601-14). (Citywide)

October 3, 2006 -- Hearing for the approval of Amendments to the General Plan from LUD #1 and #8A to LUD #7, Mixed Uses; and Amendments to the Atlantic Avenue Planned Development District (PD-25); Zone Changes from Single-Family Residential (R-1-N) and Community Automobile-Oriented (CCA) to the Atlantic Avenue Planned Development District (PD-25). (District 6)

NOTE:

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.

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